

MARK J. KENNEY (State Bar No. 87345)  
DUANE M. GECK (State Bar No. 114823)  
DONALD H. CRAM (State Bar No. 160004)  
SEVERSON & WERSON  
A Professional Corporation  
One Embarcadero Center, Suite 2600  
San Francisco, CA 94111  
Telephone: (415) 398-3344  
Facsimile: (415) 956-0439  
Email: dhc@severson.com

Attorneys for Plaintiff and Counter defendant  
Ford Motor Credit Company, LLC

Attorneys for Counter defendant  
Ford Motor Company

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

FORD MOTOR CREDIT COMPANY, LLC, a  
Delaware Limited Liability Company,

Plaintiff,

vs.

LEWIS FAMILY ENTERPRISES, INC., dba  
BOB LEWIS LINCOLN MERCURY, a  
California corporation, and STEVEN  
ROBERT LEWIS, an individual,

Defendants.

LEWIS FAMILY ENTERPRISES, INC., dba  
BOB LEWIS LINCOLN MERCURY, a  
California corporation, and STEVEN  
ROBERT LEWIS, an individual,

Counterclaimants,

vs.

FORD MOTOR CREDIT COMPANY, LLC, a  
Delaware Limited Liability Company; FORD  
MOTOR COMPANY, a Delaware corporation;  
CAPITOL EXPRESSWAY FORD, INC., a  
Delaware corporation,

Counter-defendants.

Case No.: C 07-03301 RS

**STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS**

The Hon. Richard Seeborg  
Complaint filed June 22, 2007

10872/0122/659431.1

STIPULATION AND [PROPOSED] ORDER SELECTING ADR  
PROCESS

*Ford Credit v. Lewis Family Enterprises, Inc.*

1 Counsel report that they have met and conferred regarding ADR and have reached the  
2 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

3 The parties agree to participate in the following ADR process:  
4

5 **Court Processes:**

6 Non-binding Arbitration (ADR L.R. 4)

7 Early Neutral Evaluation (ENE) (ADR L.R.5)  
8

9 ✓ Mediation (ADR L.R. 6)

10 (Note: Parties who believe that an early settlement conference with a Magistrate Judge is  
11 appreciably more likely to meet their needs than any other form of ADR, must participate in an  
12 ADR phone conference and may not file this form. They must instead file a Notice of Need for  
13 ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

14 **Private Process:**

15 ✓ Private ADR (please identify process and provider) \_\_\_\_\_  
16  
17

18 The parties agree to hold the ADR session by:  
19

20 The presumptive deadline (The deadline is 90 days from the date of the order referring the  
21 case to an ADR process unless otherwise ordered)

22 ✓ Other requested deadline November 1, 2008  
23  
24  
25  
26  
27

1  
2  
3 DATED: February 20, 2008

SEVERSON & WERSON  
A Professional Corporation

4  
5  
6 By: 

Donald H. Cram, III

7 Attorneys for Plaintiff/Counter-defendant  
8 FORD MOTOR CREDIT COMPANY,  
9 LLC and Attorneys for Counter-defendant,  
FORD MOTOR COMPANY

10 DATED: February 20, 2008

RANKIN, LANDSNESS, LAHDE,  
SERVERIAN & STOCK

11  
12  
13 By: 

Jon A. Heaberlin

14 Attorneys for Defendants/Counterclaimants  
15 LEWIS FAMILY ENTERPRISES, INC.  
16 and STEVEN ROBERT LEWIS

17 DATED: February 20, 2008

GORDON & REES LLP

18  
19  
20 By: 

Brian P. Maschler

21 Attorneys for Counter-defendant  
22 CAPITOL EXPRESSWAY FORD, INC.  
23  
24  
25  
26  
27

1 [PROPOSED] ORDER

2 Pursuant to the Stipulation above, the captioned matter is hereby referred to:

3 Non-binding Arbitration

4 Early Neutral Evaluation (ENE)

5 ✓ Mediation

6 Private ADR

7  
8 Deadline for ADR session

9 90 days from the date of this order.

10 ✓ other November 1, 2008

11  
12 IT SO ORDERED.

13  
14 Dated: \_\_\_\_\_

\_\_\_\_\_  
15 UNITED STATES MAGISTRATE JUDGE